



## CITY OF LODI

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## COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to Start the Process for Finance Department Relocation within the Civic Center and Execute Contracts and Purchases; and Appropriate Funds

**MEETING DATE:** May 15, 2002

**PREPARED BY:** Public Works Director

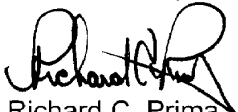
**RECOMMENDED ACTION:** That the City Council adopt a resolution authorizing the City Manager to start the process for the relocation of the City's Finance Department within the Civic Center and execute contracts and purchases; and appropriate funds.

**BACKGROUND INFORMATION:** The Finance Department has been located in leased space in the City Hall Annex, 212 West Pine Street (the Beckman Building), for approximately eight years. The lease expires on August 31, 2002. The owners of the building, Beckman Investment Securities, have not offered acceptable terms for extending the lease.

Given the issues surrounding air-borne PCE/TCE contamination relating to this facility, staff has pursued other alternatives to extending the lease, particularly providing trailers to temporarily relocate the Finance Department, the Information Systems Department (a portion of whom also occupy the City Hall Annex), and the Fleet and Facilities Manager.

Options for leasing and/or purchasing trailers are being pursued, with a recommendation that the majority be placed in the City's parking lot east of Fire Station #1, with one or two in the grass area at the east side of the Carnegie parking lot (see Exhibit A). Because of the short time frame available to obtain trailers and coordinate a move, the City Council is asked to give the City Manager authority to negotiate and execute contracts, as needed, for lease and/or purchase of trailers, connection of utilities and data/voice cabling, architectural services, construction of required decking, stairs, and walkways, relocation/purchase/installation of office system furniture, and contracting of moving services.


**FUNDING:** General Fund Capital: \$600,000 will be offset by lease reduction of \$372,600 (four years).

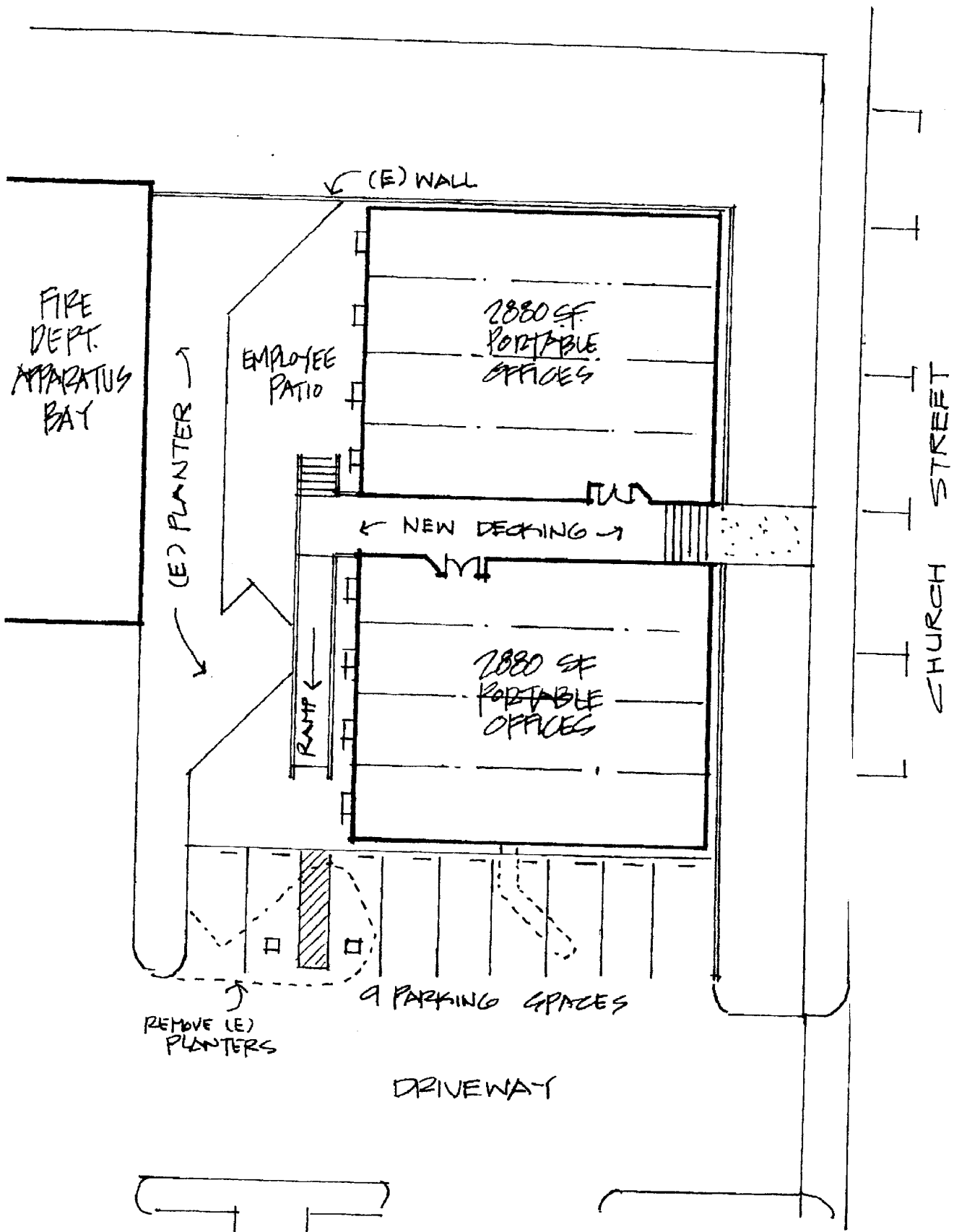
  
Richard C. Prima, Jr.  
Public Works Director

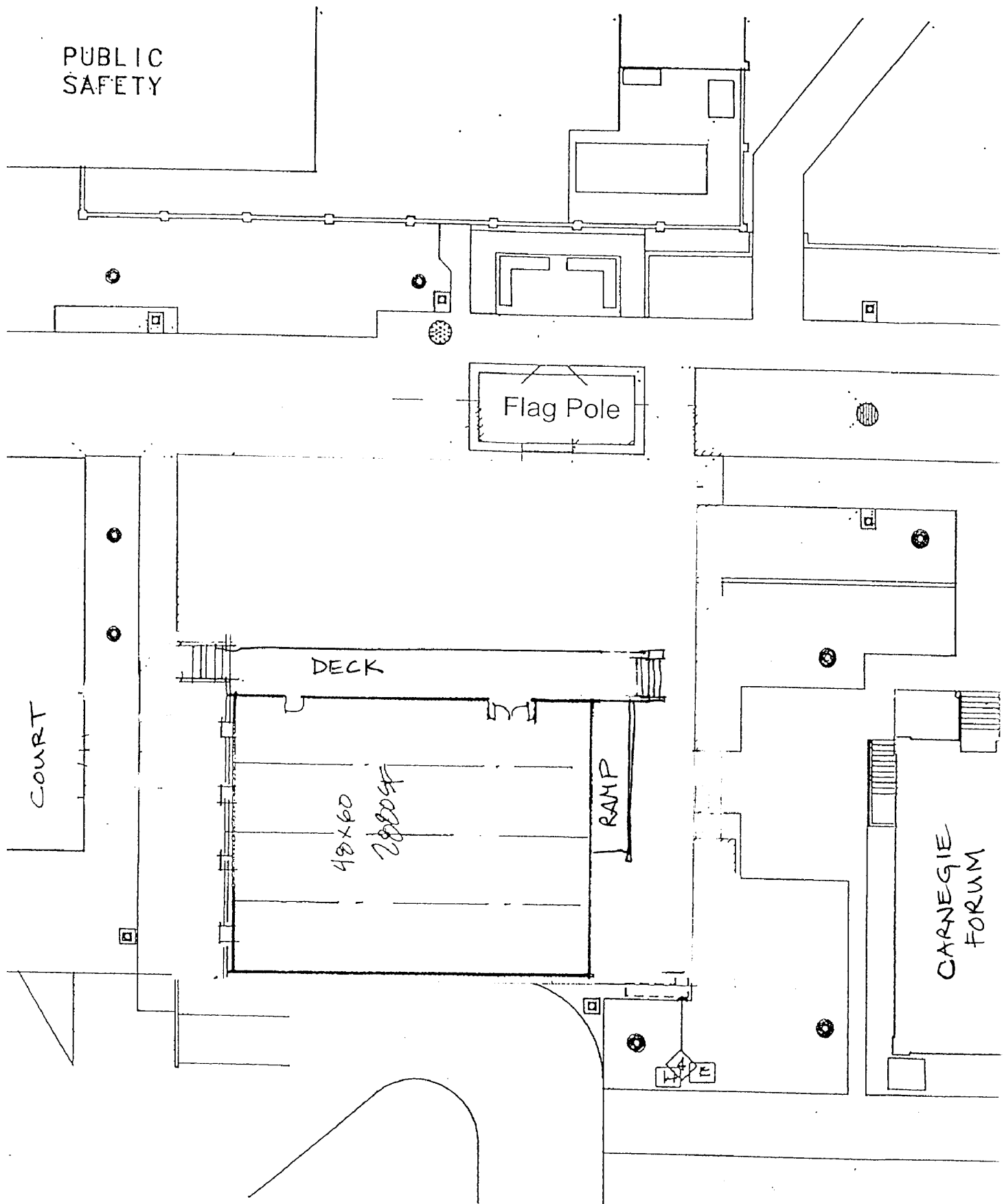
Prepared by Dennis J. Callahan, Fleet and Facilities Manager  
RCP/DJC/lm  
Attachment

cc: Dennis Callahan, Fleet and Facilities Manager  
Randy Hays, City Attorney  
Vicky McAthie, Finance Director  
Jerry Adams, Police Chief  
Steve Mann, Information Systems Manager  
Mike Pretz, Fire Chief  
Gary Wiman, Construction Project Manager  
Joel Harris, Purchasing Officer

**APPROVED:** \_\_\_\_\_

  
H. Dixon Flynn -- City Manager





RESOLUTION NO. 2002-\_\_\_\_\_

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXPEDITE THE PROCESS FOR THE FINANCE DEPARTMENT RELOCATION WITHIN THE CIVIC CENTER, AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY AND ALL CONTRACTS AND PURCHASES, AND FURTHER APPROPRIATE FUNDS FOR THIS PROJECT

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WHEREAS, the Finance Department has been located in leased space in the City Hall Annex at 212 West Pine Street, (also known as the Beckman Building) for the past eight years; and

WHEREAS, the lease expires on August 31, 2002, and acceptable lease terms for extending the lease have not been offered; and

WHEREAS, given the issues surrounding the air-borne PCE/TCE contamination relating to this facility, staff recommends pursuing other alternatives, more particularly, providing trailers to temporarily relocate the Finance Department, the Information Systems Department (a portion of whom also occupy the City Hall Annex) and the Fleet and Facilities Manager; and

WHEREAS, options for leasing and/or purchasing trailers are being pursued, with a recommendation that the majority be placed in the City's parking lot east of Fire Station #1, with one or two in the grass area at the east side of the Carnegie parking lot; and

WHEREAS, due to the short time frame available to obtain trailers and coordinate a move, staff recommends that the City Manager be given authority to negotiate and execute contracts, as needed, for lease and/or purchase of trailers, connection of utilities and data/voice cabling, architectural services, construction of required decking, stairs, and walkways, relocation/purchase/installation of office system furniture, and contracting of moving services; and

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby authorize the City Manager to expedite the process for the Finance Department relocation within the Civic Center, and authorizes the City Manager to execute any and all contracts and purchases for this project; and

BE IT FURTHER RESOLVED, that funds in the amount of \$600,000.00 be appropriated from the General Fund Capital for this project.

Dated: May 15, 2002

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I hereby certify that Resolution No. 2002-\_\_\_\_\_ was passed and adopted by the Lodi City Council in a regular meeting held May 15, 2002 by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON  
City Clerk

2002-\_\_\_\_\_

# Memo

**To:** Lodi City Council Members  
**From:** Sandra P. Sulfaro, Finance Technician *SS*  
**Date:** 05/14/02  
**Re:** May 15, 2002 Regular Calendar Res. 1-5

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Attached is my response to the AFSCME regarding environmental problems encountered at the Finance Annex.

Please take my answers into consideration when you vote on the above referenced item.

:SS

Attachments

Name Sandra Sulfaro  
Address 1724 Rohde Drive, Stockton, Ca 95209  
Phone 209-951-7603

- 1.) What symptoms have you experienced since working at this location? Please list. Congested nose; sore ears and throat; swollen glands; extreme fatigue; blurred vision; cannot speak; cannot breathe; dizzy. I have had sinus infections, allergy attacks and bronchitis since working in this building. Symptoms are ongoing since working in this building. I have filed Workers' Compensation Claims on two different occasions. Symptoms started very shortly after moving to this location.
- 2.) Have your symptoms recently improved? No
- 3.) Have you ever been questioned about your symptoms by anyone doing an investigation? For example: Worker Comp or due to the lawsuit that had been filed?  
Yes, Workers' Compensation private investigator for City. Was never allowed to see the report. Many other employees reported the same symptoms to investigator.
- 4.) If you have symptoms have you been questioned or "talked to" about taking too much time off?  
No. Received attached policy. I am very concerned about running out of leave time. I have used many weeks of vacation, holiday and sick leave because of illness from working in this building.
- 5.) Do you want to stay at this location or move?  
I want to move from this location as soon as possible. See attached letter from City Manager. I fear this building will give me a terminal illness.

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## \* F I N A N C E   D E P A R T M E N T \* P O L I C I E S   &   P R O C E D U R E S

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POLICY #3

SICK LEAVE ABUSE

July 10, 1995

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The Finance Department's standard on what is considered "abuse of sick leave" is as follows:

"Sick leave usage may be considered abusive if it is used as it is accumulated or in excess of what is accumulated or if sick leave is taken in discernible patterns."

An employee whose sick leave usage exceeds the Department's standard may be subject to obtaining from a physician a statement with a medical diagnosis of the condition causing the absence.

An employee whose sick leave usage exceeds the Department's standard may be subject to disciplinary action up to and including termination.

In reviewing abuse of sick leave, the Supervisor will take into consideration major excused illnesses, operations, broken bones, etc.



Dixon Flynn

Finance Director

:SS



CITY COUNCIL

PHILLIP A. PENNINO  
Mayor  
SUSAN HITCHCOCK  
Mayor Pro Tempore  
EMILY HOWARD  
KEITH LAND  
ALAN S. NAKANISHI

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

May 1, 2002

Ms. Sandy Sulfaro  
1724 Rohde Drive  
Stockton, CA 95209

Dear Ms. Sulfaro:

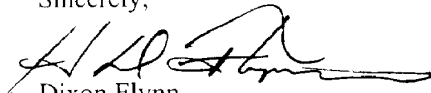
I am in receipt of your memo and note from George Bensch, M.D. In his note, Dr. Bensch states that you suffer from allergies which are "worsened at work where there is mold and contamination by fumes". I would like to point out that Dr. Bensch's assumptions regarding the presence of mold or contamination by fumes in the Finance Department are not accurate.

Based on the study conducted by Triasterane Analytical and Safety Services, there is no mold growth in the building. A copy of Triasterane's air sampling report has been provided to Finance staff. In the report, Certified Industrial Hygienist, Bette J. Davis states, "there does not appear to be an indoor source of microbial/fungal growth in the area at this time."

Regarding the presence of PCE (I assume this is what Dr. Bensch means by "fumes") as you are aware, very low concentrations of this substance were initially detected. These low levels were further reduced by modifications to the air handling system. The Department of Toxic Substances Control staff - who met with Finance staff on 4/2/02 - have stated that PCE, in places where it can be found in concentrations significant enough to affect health, does not affect the respiratory system. Again, there is no evidence of a substance in the Finance Department that will accelerate your allergic responses.

I understand your health concerns, and I'm certainly not questioning that you have allergies, or that molds or other matter are capable of aggravating them. As you know, I am working hard to address the issue of future use of this building. However, in the meantime, since a clear medical relationship can not be established between your allergies and a substance that would prevent you from working in the building, I am unable to accommodate your transfer request. As much as I would like to approve your request, I would have to do the same thing for any other employee with symptoms that can not be directly linked to the building.

Sincerely,



Dixon Flynn  
City Manager

cc: Joanne Narloch, Human Resources Director  
Vicky McAthie, Finance Director